

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHARICE SARGENT, et al.,	:	CIVIL ACTION
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
THE SCHOOL DISTRICT OF	:	
PHILADELPHIA, et al.,	:	
<i>Defendants.</i>	:	NO. 22-cv-01509
	:	

ORDER

AND NOW, this 17th day of August, 2022, upon consideration of Plaintiffs’ Motion for Injunction Pending Appeal (ECF No. 53) and for the reasons¹ set forth in this Court’s prior Memorandum and Order (ECF Nos. 50, 51) denying Plaintiffs’ Motion for a Preliminary Injunction (ECF No. 32), it is hereby **ORDERED** that Plaintiffs’ Motion for Injunction Pending Appeal (ECF No. 53) is **DENIED**.

¹ Specifically, this Court finds that for the reasons articulated in its prior Memorandum (ECF No. 50), Plaintiffs have failed to show a reasonable probability of eventual success on the merits, and accordingly, the grant of an injunction pending appeal is not warranted. *See Wood Specialties Corp. v. Secretary of U.S. Dep’t of Health & Human Services*, No. 13-1144, 2013 WL 1277419, at *7 (3d Cir. Feb. 8, 2013) (Jordan, J., dissenting) (“While we have not ruled on the matter definitively, the standard for obtaining an injunction pending appeal is essentially the same as that for obtaining a preliminary injunction.”); *see also Reilly v. City of Harrisburg*, 858 F.3d 173, 176 (3d Cir. 2017), *as amended* (June 26, 2017) (explaining that to obtain a preliminary injunction a moving party must show, *inter alia*, a reasonable probability of eventual success in the litigation).

BY THE COURT:

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE